

## **EXHIBIT 1**

### **INTRODUCTION**

Respondent International Brotherhood of Electrical Workers Committee on Political Education, sponsored by International Brotherhood of Electrical Workers (“Committee”), is a state general purpose committee located in Washington D.C. It is also commonly known as a “multi-purpose” organization. Respondent Edwin D. Hill (“Hill”) was Respondent Committee’s designated treasurer from December 9, 1997 to approximately August 22, 2002, and Respondent Jeremiah J. O’Connor (“O’Connor”) was Respondent Committee’s designated treasurer from August 23, 2002, to approximately March 21, 2005.

This case arose from an audit of Respondent Committee by the Franchise Tax Board (“FTB”) for the period January 1, 2001 through December 31, 2002. The audit report reflected that Respondent Committee made expenditures totaling \$540,001 during the audit period. The FTB found that Respondents failed to timely file required campaign statements and late contribution reports, and failed to report receiving the total amount of contributions of less than \$100 each, totaling \$540,001.

For the purposes of this stipulation, Respondents’ violations of the Political Reform Act (the “Act”)<sup>1</sup> are stated as follows:

**COUNT 1:** Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to disclose the total amount of contributions of less than \$100 each, totaling \$97,317, on the campaign statement for the reporting period from January 1, 2001 through June 30, 2001, filed on July 31, 2001, in violation of section 84211, subdivisions (a) and (d).

**COUNT 2:** Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to disclose the total amount of contributions of less than \$100 each, totaling \$86,500, on the campaign statements for the reporting periods from July 1, 2001 through December 31, 2001, in violation of section 84211, subdivisions (a) and (d).

**COUNT 3:** Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to file a first pre-election campaign statement for the reporting period from January 1, 2002 through

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to title 2, division 6 of the California Code of Regulations, unless otherwise indicated.

January 19, 2002, by the January 24, 2002 due date, in violation of sections 84200.5 and 84200.8.

- COUNT 4: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to disclose the total amount of contributions of less than \$100 each, totaling \$275,204, on the campaign statements for the reporting periods from January 1, 2002 through June 30, 2002, in violation of section 84211, subdivisions (a) and (d).
- COUNT 5: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to file a second pre-election campaign statement for the reporting period from January 20, 2002 through February 16, 2002, by the February 21, 2002 due date, in violation of sections 84200.5 and 84200.8.
- COUNT 6: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to disclose a \$3,000 late contribution made to Vince Hall on February 25, 2002, in a properly filed late contribution report, in violation of section 84203.
- COUNT 7: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to disclose a \$1,000 late contribution made to Johan Klehs on February 26, 2002, in a properly filed late contribution report, in violation of section 84203.
- COUNT 8: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Edwin D. Hill failed to file a semi-annual campaign statement for the reporting period from February 17, 2002 through June 30, 2002, by the July 31, 2002 due date, in violation of section 84200, subdivision (a).
- COUNT 9: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Jeremiah J. O'Connor failed to file a first pre-election campaign statement in paper format for the reporting period from July 1, 2002 through September 30, 2002, by the October 7, 2002 due date, in violation of sections 84200.5, 84200.7, and 84605, subdivision (i).

- COUNT 10: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Jeremiah J. O'Connor failed to disclose the total amount of contributions of less than \$100 each, totaling \$161,010, on the campaign statements for the reporting periods from July 1, 2002 through December 31, 2002, in violation of section 84211, subdivisions (a) and (d).
- COUNT 11: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Jeremiah J. O'Connor failed to disclose three \$1,000 late contributions made to Dean Florez, Tom Fallgatter, and Sue Benham, on October 22, 2002, in a properly filed late contribution report, in violation of section 84203.
- COUNT 12: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Jeremiah J. O'Connor failed to disclose a \$3,000 late contribution made to Fabian Nunez on October 28, 2002, in a properly filed late contribution report, in violation of section 84203.
- COUNT 13: Respondents International Brotherhood of Electrical Workers Committee on Political Education and Jeremiah J. O'Connor failed to disclose two late contributions of \$2,000 and \$4,000 made to Dean Florez and Phil Angelides, respectively, on October 30, 2002, in a properly filed late contribution report, in violation of section 84203.

### **SUMMARY OF THE LAW**

An express purpose of the Act, as set forth in section 81002, subdivision (a), is to ensure that contributions and expenditures in election campaigns are fully and truthfully disclosed, so that voters may be fully informed, and improper practices may be inhibited. The Act therefore establishes a campaign reporting system designed to accomplish this purpose of disclosure.

#### **Duty to File Campaign Statements**

Under the Act's campaign reporting system, recipient committees, as defined in section 82013, subdivision (a), are required to file certain specified campaign statements and reports.

Under the Act, there are different kinds of recipient committees, defined by the type of election activity in which they engage. A recipient committee that is formed or exists primarily to support or oppose candidates or measures voted on in a state election or in more than one county is defined, at section 82027.5, subdivision (b), as a "state general purpose committee."

Section 84215, subdivision (a) requires a state general purpose committee to file the committee's campaign statements and reports with the California Secretary of State ("SOS"), the Registrar-Recorder of Los Angeles County, and the Registrar of Voters of the City and County of San Francisco. Additionally, any general purpose committee that cumulatively receives contributions or makes expenditures totaling fifty thousand dollars (\$50,000) or more after July 1, 2000, to support or oppose candidates for any elective state office or state measure, is required to file statements, reports, or other documents online or electronically with the SOS. (Section 84605, subd. (b).)

Pursuant to section 84605, subdivision (i), persons filing online or electronically are also required to continue to file required disclosure statements and reports in paper format, which continue to be the official filing for audit and other legal purposes until the SOS determines the system is operating securely and effectively.

### **Duty to File Pre-election Campaign Statements**

In any even-numbered year in which the statewide direct primary election is held on a date other than the first Tuesday after the first Monday in June, section 84200.5, subdivision (e) requires a state general purpose committee formed pursuant to subdivision (a) of section 82013 to file a pre-election campaign statement, as specified in section 84200.8, if it makes contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the pre-election statement. Section 84200.8 provides for the filing of pre-election statements covering two reporting periods prior to the election. For the reporting period ending 45 days before the election, the first pre-election campaign statement is required to be filed no later than 40 days before the election. (Section 84200.8, subd. (a).) For the reporting period ending 17 days before the election, the second pre-election campaign statement is required to be filed no later than 12 days before the election. (Section 84200.8, subd. (b).)

Section 84200.7, subdivision (b) provides for the filing of two pre-election statements covering two reporting periods prior to elections held in November of an even numbered year. The reporting period for the first pre-election campaign statement ends September 30. This first pre-election campaign statement must be filed no later than October 5. The reporting period for the second pre-election campaign statement runs from October 1 through 17 days before the election. This second pre-election campaign statement must be filed no later than 12 days before the election.

### **Duty to File Semi-annual Campaign Statements**

Section 84200, subdivision (a) requires all recipient committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later

than January 31 for the period ending December 31.<sup>2</sup> All filing obligations continue until the recipient committee is terminated by filing a statement of termination (Form 410) with the SOS and a copy with the local filing officer receiving the committee's original campaign statements. (Section 84214; regulation 18404.)

### **Duty to Disclose Contributions Received on Campaign Statements**

Section 84211, subdivision (a) requires a committee to disclose on each of its campaign statements the total amount of contributions received during the period covered by the campaign statement, and the total cumulative amount of contributions received.

Under section 84211, subdivision (d), a committee must disclose the total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than one hundred dollars (\$100).

### **Duty to File Late Contribution Reports**

Under section 84203, subdivision (a), when a committee makes or receives a late contribution, the committee must disclose the contribution in a late contribution report filed at each office with which the committee is required to file its next campaign statement pursuant to section 84215, within 24 hours of making or receiving the contribution. Section 84203.6 defines a "late contribution" as a contribution which totals in the aggregate one thousand dollars (\$1,000) or more that is made or received before an election, but after the closing date of the last campaign statement that is required to be filed before the election. Under section 84200.7, for an election held in June or November of an even-numbered year, the late contribution period covers the last 16 days before the election. Under section 84200.8, for an election not held in June or November of an even-numbered year, the late contribution period covers the last 16 days before the election.

### **Treasurer Liability**

Under section 81004, subdivision (b), section 84100, and regulation 18427, subdivision (a), it is the duty of a committee's treasurer to ensure that the committee complies with all of the requirements of the Act concerning the receipt and expenditure of funds, and the reporting of such funds. Sections 83116.5 and 91006 provide that a committee's treasurer may be held jointly and severally liable, along with the committee, for any reporting violations committed by the committee.

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<sup>2</sup> Under regulation 18116, whenever the Act requires that a statement or report (other than late contribution reports required by section 84203, late independent expenditure reports required by section 84204, or notice by the contributor of a late in-kind contribution required by section 84203.3) be filed prior to or not later than a specified date or during or within a specified period, and the deadline falls on a Saturday, Sunday or official state holiday, the filing deadline for such a statement or report shall be extended to the next regular business day.

## SUMMARY OF THE FACTS

### COUNTS 1, 2, 4, and 10

#### **Failure to Disclose Contributions Received of Less than \$100<sup>3</sup>**

Respondent Committee, a multi-purpose organization, was required to report receipt of that portion of its funds which were expended for political purposes in California during the campaign reporting period.

##### Count 1

Respondents Committee and Hill reported making expenditures in California, in the form of contributions, totaling \$97,317, during the campaign reporting period from January 1, 2001 through June 30, 2001. However, Respondents failed to report monetary contributions received of less than \$100 each, totaling \$97,317, in the campaign statements filed for the reporting period from January 1, 2001 through June 30, 2001. As a result, the ending cash balance on the summary page was reported as negative amount instead of zero. FTB indicated that a similar finding was noted in the audit report for the period January 1, 1999, through December 31, 2000, issued on April 30, 2003. Respondents' representative stated that the error was due to the software used to prepare the campaign statements, and the error was corrected in July of 2004.

By failing to report monetary contributions received of less than \$100 each, totaling \$97,317, in the campaign statements filed for reporting periods from January 1, 2001 through June 30, 2001, Respondents Committee and Hill violated section 84211, subdivision (a) and (d).

##### Count 2

Respondents Committee and Hill reported making expenditures in California, in the form of contributions, totaling \$86,500, during the campaign reporting periods from July 1, 2001 through December 31, 2001. Monetary contributions received of less than \$100 each, totaling \$86,500, were not reported in the campaign statements filed for reporting periods from July 1, 2001 through September 30, 2001 (\$31,150), and October 1, 2001 through December 31, 2001 (\$55,350). As a result, the ending cash balances on the summary pages were reported as negative amounts instead of zero. FTB indicated that a similar finding was noted in the audit report for the period January 1, 1999, through December 31, 2000, issued on April 30, 2003. Respondents' representative stated that the error was due to the software used to prepare the campaign statements, and the error was corrected in July of 2004.

By failing to report monetary contributions received of less than \$100 each, totaling \$86,500, in the campaign statements filed for reporting periods from July 1, 2001 through December 31, 2001, Respondents Committee and Hill violated section 84211, subdivision (a) and (d).

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<sup>3</sup> The FTB determined that Respondent Committee's funds were raised by allocation of members' contributions and that no member gave \$100 or more. Normally, allocated contributions per member were less than \$25 per year. Therefore, no individual contributors were required to be reported in Respondents' campaign statements.

#### Count 4

Respondents Committee and Hill reported making expenditures in California, in the form of contributions, totaling \$275,204, during the campaign reporting periods from January 1, 2002 through June 30, 2002. Monetary contributions received of less than \$100 each, totaling \$275,204, were not reported in the campaign statements filed for reporting periods from January 1, 2002 through January 19, 2002 (\$16,300), January 20, 2002 through February 16, 2002 (\$29,450), and February 17, 2002 through June 30, 2002 (\$229,454). As a result, the ending cash balances on the summary pages were reported as negative amounts instead of zero. FTB indicated that a similar finding was noted in the audit report for the period January 1, 1999, through December 31, 2000, issued on April 30, 2003. Respondents' representative stated that the error was due to the software used to prepare the campaign statements, and the error was corrected in July of 2004.

By failing to report monetary contributions received of less than \$100 each, totaling \$275,204, in the campaign statements filed for reporting periods from January 1, 2002 through June 30, 2002, Respondents Committee and Hill violated section 84211, subdivision (a) and (d).

#### Count 10

Respondents Committee and O'Connor reported making expenditures in California, in the form of contributions, totaling \$161,010, during the campaign reporting periods from July 1, 2002 through December 31, 2002. Monetary contributions received of less than \$100 each, totaling \$161,010, were not reported in the campaign statements filed for reporting periods from July 1, 2002 through September 30, 2002 (\$85,030), October 1, 2002 through October 19, 2002 (\$39,300), and October 20, 2002 through December 31, 2002 (\$36,680). As a result, the ending cash balances on the summary pages were reported as negative amounts instead of zero. FTB indicated that a similar finding was noted in the audit report for the period January 1, 1999, through December 31, 2000, issued on April 30, 2003. Respondents' representative stated that the error was due to the software used to prepare the campaign statements, and the error was corrected in July of 2004.

By failing to report monetary contributions received of less than \$100 each, totaling \$161,010, in the campaign statements filed for reporting periods from July 1, 2002 through December 31, 2002, Respondents Committee and O'Connor violated section 84211, subdivision (a) and (d).

#### COUNTS 3, 5, and 9

##### **Failure to Timely File Pre-Election Campaign Statements**

Respondents were required to timely file a paper and electronic pre-election campaign statement for each pre-election reporting period during which contributions of \$500 or more were made. The paper version is the official version for audit and other legal purposes. (Section 84605, subd. (i).)

Count 3:

The first pre-election reporting period preceding the March 5, 2002 Primary Election was from January 1, 2002 through January 19, 2002. Pre-election campaign statements covering this period were due by January 24, 2002. The FTB audit revealed that during the first pre-election reporting period Respondent Committee made contributions totaling \$16,300. Since Respondent Committee made contributions of \$500 or more during the pre-election reporting period, Respondents Committee and Hill were obligated to file a pre-election campaign statement by January 24, 2002. Respondents did not file this first pre-election statement by the January 24, 2002 due date. They filed the electronic version on February 28, 2002, and the paper version on March 3, 2002.

By failing to timely file the first pre-election campaign statement for the pre-election reporting period, Respondents Committee and Hill violated sections 84200.5 and 84200.8.

Count 5:

The second pre-election reporting period preceding the March 5, 2002 Primary Election was from January 20, 2002 through February 16, 2002. Pre-election campaign statements covering this period were due by February 21, 2002. The FTB audit revealed that during the second pre-election reporting period Respondent Committee made contributions totaling \$29,450. Since Respondent Committee made contributions of \$500 or more during the pre-election reporting period, Respondents Committee and Hill were obligated to file a pre-election statement by February 21, 2002. Respondents did not file this second pre-election statement by the February 21, 2002 due date. They filed the electronic version on March 1, 2002, and the paper version on March 3, 2002.

By failing to timely file the first pre-election campaign statement for the pre-election reporting period, Respondents Committee and Hill violated sections 84200.5 and 84200.8.

Count 9:

The first pre-election reporting period preceding the November 5, 2002 General Election was from July 1, 2002 through September 30, 2002. Pre-election campaign statements covering this period were due by October 7, 2002.<sup>4</sup> The electronic version of Respondent Committee's campaign statement revealed that during the first pre-election reporting period before the general election Respondent Committee made contributions totaling \$85,030. Since Respondent Committee made contributions of \$500 or more during the pre-election reporting period, Respondents were obligated to file a pre-election campaign statement by October 7, 2002. FTB found that the SOS had no paper version of this pre-election campaign statement on file. Respondents' representative stated that a paper copy was mailed to the SOS on January 29, 2003. Respondents filed an electronic version on October 7, 2002.

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<sup>4</sup> Because October 5, 2002, fell on a Saturday, the due date for the first pre-election campaign statement rolled over to the next business day, which was Monday, October 7, 2002.



By failing to timely file the original paper version of the pre-election campaign statement for the pre-election reporting period, Respondents Committee and O'Connor violated sections 84200.5 and 84200.7, and 84605, subdivision (i).

COUNTS 6 and 7

**Failure to Timely File Late Contribution Reports**

Respondents had a duty to report making a late contribution report within 24 hours of making the contribution. The late contribution reporting period for the March 5, 2002 Primary Election was from February 17, 2002 through March 4, 2002. The following table sets forth the date Respondents Committee and Hill made each late contribution, the date of the late contribution report, the name of the recipient, and the amount of each contribution.

Count	Contribution Date	Date of LCR	Recipient	Amount of Contribution
6	02/25/02	02/28/02	Vince Hall	\$ 3,000
7	02/26/02	02/28/02	Johan Klehs	1,000
<b>TOTAL:</b>				\$ 4,000

By failing to disclose late contributions in properly filed late contribution reports, Respondents Committee and Hill violated section 84203, subdivision (a).

COUNT 8

**Failure to Timely File a Semi-Annual Campaign Statement**

The post-election semi-annual campaign statement for the reporting period from February 17, 2002 through June 30, 2002, was due by July 31, 2002. The FTB audit revealed that Respondent Committee made expenditures in the form of contributions, totaling \$229,454, during this reporting period. Respondents Committee and Hill were obligated to file a semi-annual statement by July 31, 2002 disclosing this activity. Respondents did not file this semi-annual campaign statement by the July 31, 2002 due date. They filed the electronic version on August 28, 2002, and the paper version on September 3, 2002.

By failing to file the semi-annual campaign statement for the reporting periods from February 17, 2002 through June 30, 2002, by the July 31, 2002 due date, Respondents Committee and Hill violated section 84200, subdivision (a).

COUNTS 11, 12 and 13

**Failure to Timely File Late Contribution Reports**

Respondents had a duty to report making a late contribution report within 24 hours of making the contribution. The late contribution reporting period for the November 5, 2002 General Election was from October 20, 2002, through November 4, 2002. The following table sets forth the date Respondents Committee and O'Connor made each late contribution, the date of the late contribution report, the name of the recipient, and the amount of each contribution.

<b>Count</b>	<b>Contribution Date</b>	<b>Date of LCR</b>	<b>Recipient</b>	<b>Amount of Contribution</b>
<b>11</b>	10/22/02	10/24/02	Dean Florez	\$ 1,000
<b>11</b>	10/22/02	10/24/02	Tom Fallgatter	1,000
<b>11</b>	10/22/02	10/24/02	Sue Benham	1,000
<b>12</b>	10/28/02	11/04/02	Fabian Nunez	3,000
<b>13</b>	10/30/02	11/05/02	Dean Florez	2,000
<b>13</b>	10/30/02	11/05/02	Phil Angelides	4,000
<b>TOTAL:</b>				\$ 12,000

By failing to disclose late contributions in properly filed late contribution reports, Respondents Committee and O'Connor violated section 84203, subdivision (a).

### **OTHER FACTORS**

#### Prior Multiple Violations

Respondent Committee, a state general purpose committee sponsored by International Brotherhood of Electrical Workers, filed its initial Statement of Organization with the SOS on January 17, 1990. Since its formation, Respondent Committee has committed numerous violations similar to the above referenced violations of the Act as follows.

For the audit period January 1, 1991 through December 31, 1992, the FTB found that Respondent Committee failed to file three pre-election statements. In August 1995, the Enforcement Division sent a warning letter regarding those violations. After receipt of the warning letter, Respondent Committee then failed to file the next four required pre-election statements.

The FTB audited Respondent Committee for the period from January 1, 1993 through December 31, 1994. The FTB found that, during this audit period, Respondent Committee failed to file two pre-election statements and a late contribution report. The Enforcement Division sent a warning letter regarding those violations in August 1997.

The FTB audited Respondent Committee for the period from January 1, 1995 through December 31, 1996. The FTB found that, during this audit period, the Committee failed to file four pre-election campaign statements and three late contribution reports. Respondent Committee was prosecuted by the Commission for those violations, and paid a \$10,000 fine in June 2000. (FPPC Case No. 99/347.)

FPPC Case No. 02/165 was opened based on violations revealed in the FTB audit report for the audit period from January 1, 1997 through December 31, 1998. The FTB found that, during this audit period, Respondent Committee had not filed numerous campaign statements and late contribution reports, and a stipulation was sent to the Committee's attorney setting forth charges resulting from this audit.

FPPC Case No. 03/222 was opened based on violations discovered in another FTB audit of Respondent Committee for its activity during the period January 1, 1999 through December 31, 2000. This audit revealed that the Committee had, yet again, failed to file a pre-election campaign statement and late contribution reports, and there were several instances of late contribution reports that were not filed on a timely basis. This case was consolidated with FPPC No. 02/165, referenced above, and in 2004 Respondent Committee paid an administrative penalty of \$18,475 for failing to file a semi-annual campaign statement, failing to file four pre-election statements, and 26 counts for failing to disclose late contributions in properly filed late contribution reports.

#### Failure to Timely File Reports in Required Locations

As a state general purpose committee, Respondent Committee was required to timely file the original and one copy of its campaign statements in paper format with the SOS, two copies with the Registrar-Recorder of Los Angeles County, and two copies with the Registrar of Voters of the City and County of San Francisco under section 84215, subdivision (a). Respondents were also required to report the making or receipt of a late contribution within 24 hours with the above-listed offices. In this matter, Respondents failed to timely file copies of two late contribution reports, three pre-election campaign statements, and a semi-annual campaign statement with the Registrar-Recorder of Los Angeles County and the Registrar of Voters of the City and County of San Francisco.

### **CONCLUSION**

This matter consists of 13 counts of violating the Act, which carry a maximum possible penalty of Sixty-Five Thousand Dollars (\$65,000).

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in context of the factors set forth in regulation 18361.5, subdivision (d)(1)-(6): the seriousness of the violations; the presence or lack of intent to deceive the voting public; whether the violation was deliberate, negligent, or inadvertent; whether the Respondent demonstrated good faith in consulting with Commission staff; whether there was a pattern of violations; and whether the Respondent, upon learning of the violations, voluntarily filed appropriate amendments to provide full disclosure.

Respondents have a prior record of violations of the Act. Since its formation in 1990, Respondent Committee has committed multiple similar violations of the Act in each FTB audit period, evincing a pattern of noncompliance, resulting in two warning letters and two prosecutions by the Commission. Even after paying an administrative penalty of more than \$18,000 in 2004 for failing to timely file late contribution reports, Respondents continued to defend their method of making and reporting late contributions, which method caused them to violate the Act. Respondents' history of violations up through this prosecution shows a pattern of noncompliance with the Act by this experienced committee.

Regarding counts 1, 2, 4, and 10, the administrative penalty that has typically been imposed for failure to report contributions has been in the mid-to-high end of the available penalty range. Generally, these have been contributions of \$100 or more, which are subject to itemization. In this matter, Respondents failed to disclose contributions of less than \$100 each, for a total of \$540,001, none of which were subject to itemization. A similar finding was noted in a previous audit report that was issued in April 2003. Respondents attributed the omission to a software problem that was corrected in July 2004. These violations might have caused confusion and raised questions by anyone who viewed Respondents' campaign statements. However, the public harm was limited, as no individual contribution required itemization and Respondents were required only to disclose, as a lump sum, the receipt of funds equal to the expenditures Respondents made in California during the reporting period in question. Nevertheless, the errors were glaring and Respondent Committee's treasurers should have easily caught and corrected them before the campaign statements were filed. Imposition of an administrative penalty slightly less than the typical amount, or \$2,000 per count for these violations, is appropriate.

Regarding counts 3, 5, and 9, the typical stipulated administrative penalty for failing to timely file a pre-election campaign statement has been in the mid-to-high end of the applicable penalty range. Here, Respondents failed to timely file three paper and two electronic pre-election campaign statements, despite previously receiving two warning letters and two administrative penalties totaling \$28,475 in the last six years for similar failures to file. In mitigation, the campaign statements were filed before the elections, so the information was available to the public. Because of Respondents' prior history of violating the Act and other aggravating factors, imposition of an administrative penalty of \$3,700 for each of these counts is justified.

Regarding count 8, the administrative penalty for failing to timely file a semi-annual campaign statement has typically been in the middle of the penalty range. In this matter, Respondents failed to timely file the post-election semi-annual campaign statement, disclosing approximately \$229,454 in contributions they made to candidates and committees in California. Imposition of an administrative penalty in the amount of \$2,500 is appropriate.

Regarding counts 6, 7, and 11-13, Respondents failed to timely file a total of five late contribution reports within 24 hours of the contributions being made. Respondents previously received two warning letters and two administrative penalties totaling \$28,475 in the last six years for similar failures to file. Further, the stipulation for FPPC Case No. 02/165, which Respondents signed in August 2004, reveals that 26 of the 31 counts charged were for Respondents' failure to disclose late contributions in properly filed late contribution reports. Despite being advised of the Act's requirements in this area, Respondents continued to state that contribution checks were sent to affiliated local unions in California, which in turn sent the check to the candidates' committees, so Respondents did not know exactly when the contribution was made. Because the late contribution reports in counts 6, 7 and 11 were filed only one or two days late and before the election, an administrative penalty of \$2,000 per violation is appropriate. However, the late contribution reports in counts 12 and 13 were six days late and filed the day before and day of the election. Therefore, an administrative penalty of \$3,100 each is warranted.

The facts of this case, including the aggravating and mitigating factors discussed above, justify imposition of the agreed upon penalty of Thirty Three Thousand Eight Hundred Dollars (\$33,800).